

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

CALVIN TANKESLY, JR., )  
                          )  
Plaintiff              )  
                          )  
v.                     ) No. 3:14-0911  
                          ) Judge Trauger/Brown  
                          ) **Jury Demand**  
CORRECTIONS CORPORATION OF )  
AMERICA, *et al.*,     )  
                          )  
Defendants             )

O R D E R

A lengthy telephone conference was held with the parties in this matter on January 27, 2016, in order to set a new scheduling order. There are three Defendants remaining in this case. Dr. Coble is the only plaintiff currently employed by Corrections Medical Associates (CMA).

The Plaintiff filed a motion to compel earlier last year (Docket Entry 136). That motion was never ruled on at the time because of the Magistrate Judge's report and recommendation that the case be dismissed. The Plaintiff should resubmit his discovery requests to the Defendants limited to the present defendants and keeping in mind the guidance provided during the call about being specific and limited to the present defendants. If he is not satisfied with the answers he should file a motion to compel. If the Plaintiff files a motion to compel, for each item he complains about, he should set out his request, the Defendant's response, and a short statement as to why he believes the response is inadequate.

The Magistrate Judge will then be in a position to rule once the Defendants have responded.

All discovery may remain open until **May 20, 2016**. Dispositive motions will be due **June 30, 2016**. Responses to dispositive motions shall be filed within **28 days** after service. Briefs shall not exceed **25 pages** without leave of Court. Optional replies, limited to **five pages**, shall be filed within **14 days** after service of the response. If dispositive motions are filed early, the response and reply dates are moved up accordingly.

The Plaintiff advised that he is subject to periodic lock downs and is subject to being moved for medical treatment. The Magistrate Judge will certainly consider granting extensions to deadlines for good cause shown. The Plaintiff is cautioned that he should not wait until after a deadline has passed to seek an extension.

The Plaintiff advised that he might want to seek the deposition of some physicians. Although the Plaintiff has been allowed to proceed *in forma pauperis* this does not provide authority to pay fees related to the subpoena of a nonparty, or the fees for an independent expert for the Plaintiff. The Plaintiff would be entitled to take the deposition of the three Defendants in the case. However, he will need to make arrangements for the taking of such a deposition and secure court permission by submitting a motion to take the deposition with a statement of why it is needed.

The Plaintiff advised that he might well be moved to Nashville for medical treatment. If possible, the parties should see if any deposition of the parties in the Nashville area could be taken while the Plaintiff was here. The Defendants have indicated that they wish to take the Plaintiff's deposition and they may do so. They should give the Plaintiff at least seven days' notice before the deposition.

The Plaintiff mentioned that he might wish to seek an amendment to his complaint. The Plaintiff may file a motion to amend his complaint. If he does so, he should attach to his motion a proposed complaint which is complete in and of itself, and in his motion he should point out what he seeks to amend and why. The Plaintiff is cautioned that adding new defendants will be difficult given the fact that the statute of limitations in all likelihood will have run on any new defendants.

The Magistrate Judge believes that this case will take two or three days to try with a jury and should be ready for trial on or after December 12, 2016.

It is so **ORDERED**.

/s/ Joe B. Brown  
JOE B. BROWN  
United States Magistrate Judge